

connection with a group health plan) for any plan year of a small employer.

“(2) INCREASED COST EXEMPTION.—This section shall not apply with respect to a group health plan (or health insurance coverage offered in connection with a group health plan) if the application of this section to such plan (or to such coverage) results in an increase in the cost under the plan (or for such coverage) of at least 1 percent.

“(d) SEPARATE APPLICATION TO EACH OPTION OFFERED.—In the case of a group health plan that offers a participant or beneficiary two or more benefit package options under the plan, the requirements of this section shall be applied separately with respect to each such option.

“(e) DEFINITIONS.—For purposes of this section;

“(1) AGGREGATE LIFETIME LIMIT.—The term ‘aggregate lifetime limit’ means, with respect to benefits under a group health plan or health insurance coverage, a dollar limitation on the total amount that may be paid with respect to such benefits under the plan or health insurance coverage with respect to an individual or other coverage unit.

“(2) ANNUAL LIMIT.—The term ‘annual limit’ means, with respect to benefits under a group health plan or health insurance coverage, a dollar limitation on the total amount of benefits that may be paid with respect to such benefits in a 12-month period under the plan or health insurance coverage with respect to an individual or other coverage unit.

“(3) MEDICAL OR SURGICAL BENEFITS.—The term ‘medical or surgical benefits’ means benefits with respect to medical or surgical services, as defined under the terms of the plan or coverage (as the case may be), but does not include mental health benefits.

“(4) MENTAL HEALTH BENEFITS.—The term ‘mental health benefits’ means benefits with respect to mental health services, as defined under the terms of the plan or coverage (as the case may be), but does not include benefits with respect to treatment of substance abuse or chemical dependency.

“(f) SUNSET.—This section shall not apply to benefits for services furnished on or after September 30, 2001.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to group health plans for plan years beginning on or after January 1, 1998.

And the Senate agree to the same.

JERRY LEWIS,  
BARBARA F. VUCANOVICH,  
JAMES T. WALSH,  
DAVID L. HOBSON,  
JOE KNOLLENBERG,  
RODNEY P.  
FRELINGHUYSEN,  
BOB LIVINGSTON,  
LOUIS STOKES,  
ALAN B. MOLLOHAN,  
JIM CHAPMAN,  
MARCY KAPTUR,  
DAVID R. OBEY,  
*Managers on the Part of the House.*

CHRISTOPHER S. BOND,  
CONRAD BURNS,  
TED STEVENS,  
RICHARD C. SHELBY,  
ROBERT F. BENNETT,  
BEN NIGHTHORSE  
CAMPBELL,  
MARK O. HATFIELD,  
BARBARA A. MIKULSKI,  
PATRICK J. LEAHY,  
J. BENNETT JOHNSTON,  
FRANK R. LAUTENBERG,  
J. ROBERT KERREY,  
ROBERT C. BYRD,  
*Managers on the Part of the Senate.*

After debate,  
On motion of Mr. LEWIS of California, the previous question was or-

dered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas ..... 388  
affirmative ..... { Nays ..... 25

¶113.45

[Roll No. 426]  
YEAS—388

|              |               |                |
|--------------|---------------|----------------|
| Abercrombie  | Creameans     | Hefner         |
| Ackerman     | Cubin         | Herger         |
| Allard       | Cummings      | Hilleary       |
| Andrews      | Cunningham    | Hilliard       |
| Archer       | Danner        | Hinchey        |
| Armey        | Davis         | Hobson         |
| Baessler     | de la Garza   | Hoke           |
| Baker (CA)   | Deal          | Holden         |
| Baker (LA)   | DeFazio       | Horn           |
| Baldacci     | DeLauro       | Hostettler     |
| Ballenger    | Dellums       | Houghton       |
| Barcia       | Deutsch       | Hoyer          |
| Barr         | Diaz-Balart   | Hunter         |
| Barrett (NE) | Dickey        | Hutchinson     |
| Barrett (WI) | Dicks         | Hyde           |
| Bartlett     | Dingell       | Inglis         |
| Barton       | Dixon         | Jackson (IL)   |
| Bass         | Doggett       | Jackson-Lee    |
| Bateman      | Dooley        | (TX)           |
| Becerra      | Dornan        | Jefferson      |
| Beilenson    | Doyle         | Johnson (CT)   |
| Bentsen      | Dreier        | Johnson (SD)   |
| Bereuter     | Dunn          | Johnson, E. B. |
| Berman       | Edwards       | Johnston       |
| Beverly      | Ehlers        | Jones          |
| Bilbray      | Engel         | Kanjorski      |
| Bilirakis    | English       | Kaptur         |
| Bishop       | Ensign        | Kasich         |
| Bliley       | Eshoo         | Kelly          |
| Blumenauer   | Evans         | Kennedy (MA)   |
| Blute        | Everett       | Kennedy (RI)   |
| Boehlert     | Ewing         | Kennelly       |
| Boehner      | Farr          | Kildee         |
| Bonilla      | Fattah        | Kim            |
| Bonior       | Fawell        | King           |
| Bono         | Fazio         | Kingston       |
| Borski       | Fields (LA)   | Kleczka        |
| Boucher      | Fields (TX)   | Klink          |
| Brewster     | Filner        | Klug           |
| Browder      | Flake         | Knollenberg    |
| Brown (CA)   | Flanagan      | Kolbe          |
| Brown (FL)   | Foglietta     | LaFalce        |
| Brown (OH)   | Foley         | LaHood         |
| Brownback    | Forbes        | Lantos         |
| Bryant (TN)  | Ford          | Latham         |
| Bryant (TX)  | Fowler        | LaTourette     |
| Bunning      | Fox           | Laughlin       |
| Burr         | Frank (MA)    | Lazio          |
| Burton       | Franks (CT)   | Leach          |
| Buyer        | Franks (NJ)   | Levin          |
| Callahan     | Frelinghuysen | Lewis (CA)     |
| Calvert      | Frisa         | Lewis (GA)     |
| Camp         | Frost         | Lewis (KY)     |
| Campbell     | Furse         | Lightfoot      |
| Canady       | Galleghy      | Linder         |
| Cardin       | Ganske        | Lipinski       |
| Castle       | Gejdenson     | Livingston     |
| Chabot       | Gekas         | LoBiondo       |
| Chambliss    | Gilchrest     | Lofgren        |
| Chapman      | Gillmor       | Longley        |
| Chenoweth    | Gilman        | Lowe           |
| Christensen  | Gonzalez      | Lucas          |
| Chrysler     | Goodlatte     | Luther         |
| Clay         | Gordon        | Maloney        |
| Clayton      | Goss          | Manton         |
| Clement      | Graham        | Manzullo       |
| Clinger      | Green (TX)    | Markey         |
| Clyburn      | Greene (UT)   | Martinez       |
| Coble        | Greenwood     | Martini        |
| Coleman      | Gunderson     | Mascara        |
| Collins (GA) | Gutierrez     | Matsui         |
| Collins (IL) | Gutknecht     | McCarthy       |
| Collins (MI) | Hall (OH)     | McCollum       |
| Combest      | Hamilton      | McCrery        |
| Condit       | Hansen        | McDade         |
| Conyers      | Harman        | McDermott      |
| Costello     | Hastert       | McHale         |
| Coyne        | Hastings (FL) | McHugh         |
| Cramer       | Hastings (WA) | McInnis        |
| Crane        | Hayworth      | McIntosh       |
| Crapo        | Hefley        | McKeon         |

|               |               |             |
|---------------|---------------|-------------|
| McKinney      | Quillen       | Stenholm    |
| McNulty       | Quinn         | Stockman    |
| Meehan        | Radanovich    | Stokes      |
| Meek          | Rahall        | Stupak      |
| Menendez      | Ramstad       | Talent      |
| Metcalfe      | Reed          | Tanner      |
| Meyers        | Regula        | Tate        |
| Mica          | Richardson    | Tauzin      |
| Millender-    | Riggs         | Taylor (MS) |
| McDonald      | Rivers        | Taylor (NC) |
| Miller (CA)   | Roberts       | Tejeda      |
| Miller (FL)   | Rogers        | Thomas      |
| Mink          | Rohrabacher   | Thompson    |
| Moakley       | Ros-Lehtinen  | Thornberry  |
| Molinari      | Rose          | Thornton    |
| Mollohan      | Roth          | Thurman     |
| Montgomery    | Roukema       | Tiahrt      |
| Moorhead      | Roybal-Allard | Torkildsen  |
| Moran         | Royce         | Torres      |
| Morella       | Rush          | Torricelli  |
| Murtha        | Sabo          | Towns       |
| Myers         | Salmon        | Traficant   |
| Myrick        | Sanders       | Upton       |
| Nadler        | Sawyer        | Velazquez   |
| Neal          | Saxton        | Vento       |
| Nethercutt    | Schaefer      | Visclosky   |
| Ney           | Schiff        | Volkmer     |
| Norwood       | Schumer       | Vucanovich  |
| Nussle        | Scott         | Walsh       |
| Oberstar      | Seastrand     | Wamp        |
| Obey          | Serrano       | Ward        |
| Oliver        | Shaw          | Waters      |
| Ortiz         | Shays         | Watt (NC)   |
| Orton         | Shuster       | Watts (OK)  |
| Owens         | Sisisky       | Waxman      |
| Packard       | Skaggs        | Weldon (FL) |
| Pallone       | Skeen         | Weldon (PA) |
| Pastor        | Skelton       | Weller      |
| Paxon         | Slaughter     | White       |
| Payne (NJ)    | Smith (MI)    | Whitfield   |
| Pelosi        | Smith (NJ)    | Wise        |
| Peterson (MN) | Smith (TX)    | Wolf        |
| Pickett       | Smith (WA)    | Woolsey     |
| Pombo         | Solomon       | Wynn        |
| Pomeroy       | Souder        | Yates       |
| Porter        | Spence        | Young (AK)  |
| Portman       | Spratt        | Young (FL)  |
| Poshard       | Stark         | Zeliff      |
| Pryce         | Stearns       | Zimmer      |

NAYS—25

|           |              |               |
|-----------|--------------|---------------|
| Bachus    | Hall (TX)    | Roemer        |
| Coburn    | Hancock      | Sanford       |
| Cooley    | Hoeckstra    | Scarborough   |
| Cox       | Istook       | Sensenbrenner |
| DeLay     | Johnson, Sam | Shadegg       |
| Doolittle | Largent      | Stump         |
| Duncan    | Minge        | Walker        |
| Ehrlich   | Neumann      |               |
| Geren     | Petri        |               |

NOT VOTING—20

|            |               |           |
|------------|---------------|-----------|
| Bunn       | Heineman      | Rangel    |
| Durbin     | Jacobs        | Schroeder |
| Funderburk | Lincoln       | Studds    |
| Gephardt   | Oxley         | Wicker    |
| Gibbons    | Parker        | Williams  |
| Goodling   | Payne (VA)    | Wilson    |
| Hayes      | Peterson (FL) |           |

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.46 PROVIDING FOR THE  
CONSIDERATION OF H.R. 4134

Mr. MCINNIS, by direction of the Committee on Rules, reported (Rept. No. 104-834) the resolution (H. Res. 530) providing for consideration of the bill (H.R. 4134) to amend the Immigration and Nationality Act to authorize States to deny public education benefits to aliens not lawfully present in the United States who are not enrolled in public schools during the period beginning September 1, 1996, and ending July 1, 1997.

When said resolution and report were referred to the House Calendar and ordered printed.

¶113.47 UNFINISHED BUSINESS—  
APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, September 23, 1996.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

So the Journal was approved.

¶113.48 H.R. 3452—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3452) to make certain laws applicable to the Executive Office of the President, and for other purposes; as amended.

The question put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas ..... 410  
affirmative ..... Nays ..... 5

¶113.49 [Roll No. 427]  
YEAS—410

|              |              |               |
|--------------|--------------|---------------|
| Abercrombie  | Buyer        | Dixon         |
| Ackerman     | Callahan     | Doggett       |
| Allard       | Calvert      | Dooley        |
| Andrews      | Camp         | Doolittle     |
| Archer       | Campbell     | Dorman        |
| Armey        | Canady       | Doyle         |
| Bachus       | Cardin       | Dreier        |
| Baesler      | Castle       | Duncan        |
| Baker (CA)   | Chabot       | Dunn          |
| Baker (LA)   | Chambliss    | Edwards       |
| Baldacci     | Chapman      | Ehlers        |
| Ballenger    | Chenoweth    | Ehrlich       |
| Barcia       | Christensen  | Engel         |
| Barr         | Chrysler     | English       |
| Barrett (NE) | Clay         | Ensign        |
| Barrett (WI) | Clayton      | Eshoo         |
| Bartlett     | Clement      | Evans         |
| Barton       | Clinger      | Everett       |
| Bass         | Coble        | Ewing         |
| Bateman      | Coburn       | Farr          |
| Becerra      | Coleman      | Fattah        |
| Beilenson    | Collins (GA) | Fawell        |
| Bentsen      | Collins (IL) | Fazio         |
| Bereuter     | Collins (MI) | Fields (LA)   |
| Berman       | Combest      | Fields (TX)   |
| Bevill       | Condit       | Filner        |
| Bilbray      | Conyers      | Flake         |
| Bilirakis    | Cooley       | Flanagan      |
| Bishop       | Costello     | Foglietta     |
| Bliley       | Coyne        | Foley         |
| Blumenauer   | Cramer       | Forbes        |
| Blute        | Crane        | Ford          |
| Boehlert     | Crapo        | Fowler        |
| Boehner      | Creameans    | Fox           |
| Bonilla      | Cubin        | Frank (MA)    |
| Bonior       | Cummings     | Franks (CT)   |
| Bono         | Cunningham   | Franks (NJ)   |
| Borski       | Danner       | Frelinghuysen |
| Boucher      | Davis        | Frisa         |
| Brewster     | de la Garza  | Frost         |
| Browder      | Deal         | Furse         |
| Brown (CA)   | DeFazio      | Galleghy      |
| Brown (FL)   | DeLauro      | Ganske        |
| Brown (OH)   | DeLay        | Gejdenson     |
| Brownback    | Dellums      | Gekas         |
| Bryant (TN)  | Deutsch      | Geren         |
| Bryant (TX)  | Diaz-Balart  | Gilchrest     |
| Bunning      | Dickey       | Gillmor       |
| Burr         | Dicks        | Gilman        |
| Burton       | Dingell      | Gonzalez      |

|               |               |               |
|---------------|---------------|---------------|
| Goodlatte     | Manton        | Roybal-Allard |
| Goodling      | Manzullo      | Royce         |
| Gordon        | Markey        | Rush          |
| Goss          | Martinez      | Sabo          |
| Graham        | Martini       | Salmon        |
| Green (TX)    | Mascara       | Sanders       |
| Greene (UT)   | Matsui        | Sanford       |
| Greenwood     | McCarthy      | Sawyer        |
| Gunderson     | McCollum      | Saxton        |
| Gutierrez     | McCrery       | Scarborough   |
| Gutknecht     | McDade        | Schaefer      |
| Hall (OH)     | McDermott     | Schiff        |
| Hall (TX)     | McHale        | Schumer       |
| Hamilton      | McHugh        | Scott         |
| Hancock       | McInnis       | Seastrand     |
| Hansen        | McIntosh      | Sensenbrenner |
| Harman        | McKeon        | Serrano       |
| Hastert       | McKinney      | Shadegg       |
| Hastings (FL) | McNulty       | Shaw          |
| Hastings (WA) | Meehan        | Shays         |
| Hayworth      | Meek          | Shuster       |
| Hefley        | Menendez      | Sisisky       |
| Hefner        | Metcalfe      | Skaggs        |
| Herger        | Meyers        | Skeen         |
| Hilleary      | Mica          | Skelton       |
| Hinchey       | Millender-    | Slaughter     |
| Hobson        | McDonald      | Smith (MI)    |
| Hoekstra      | Miller (CA)   | Smith (NJ)    |
| Hoke          | Miller (FL)   | Smith (TX)    |
| Holden        | Minge         | Smith (WA)    |
| Horn          | Mink          | Solomon       |
| Hostettler    | Moakley       | Souder        |
| Houghton      | Molinari      | Spence        |
| Hoyer         | Mollohan      | Spratt        |
| Hunter        | Montgomery    | Stark         |
| Hutchinson    | Moorhead      | Stearns       |
| Hyde          | Moran         | Stenholm      |
| Inglis        | Morella       | Stockman      |
| Istook        | Murtha        | Stokes        |
| Jackson (IL)  | Myers         | Stump         |
| Jackson-Lee   | Myrick        | Stupak        |
| (TX)          | Nadler        | Talent        |
| Jefferson     | Neal          | Tanner        |
| Johnson (CT)  | Nethercutt    | Tate          |
| Johnson (SD)  | Neumann       | Tauzin        |
| Johnson, Sam  | Ney           | Taylor (MS)   |
| Johnston      | Norwood       | Taylor (NC)   |
| Jones         | Nussle        | Tejeda        |
| Kanjorski     | Oberstar      | Thomas        |
| Kaptur        | Obey          | Thompson      |
| Kasich        | Olver         | Thornberry    |
| Kelly         | Ortiz         | Thornton      |
| Kennedy (MA)  | Orton         | Thurman       |
| Kennedy (RI)  | Owens         | Tiahrt        |
| Kennelly      | Packard       | Torkildsen    |
| Kildee        | Pallone       | Torres        |
| Kim           | Parker        | Torricelli    |
| King          | Pastor        | Towns         |
| Kingston      | Paxon         | Traficant     |
| Klecza        | Payne (NJ)    | Upton         |
| Klink         | Pelosi        | Velazquez     |
| Klug          | Peterson (MN) | Vento         |
| Knollenberg   | Petri         | Visclosky     |
| Kolbe         | Pickett       | Volkmer       |
| LaFalce       | Pombo         | Vucanovich    |
| LaHood        | Pomeroy       | Walker        |
| Lantos        | Porter        | Walsh         |
| Largent       | Portman       | Wamp          |
| Latham        | Poshard       | Ward          |
| LaTourette    | Pryce         | Waters        |
| Laughlin      | Quillen       | Watts (OK)    |
| Lazio         | Quinn         | Waxman        |
| Leach         | Radanovich    | Weldon (FL)   |
| Levin         | Rahall        | Weldon (PA)   |
| Lewis (CA)    | Ramstad       | Weller        |
| Lewis (GA)    | Reed          | White         |
| Lewis (KY)    | Regula        | Whitfield     |
| Lightfoot     | Richardson    | Wise          |
| Linder        | Riggs         | Wolf          |
| Lipinski      | Rivers        | Woolsey       |
| Livingston    | Roberts       | Wynn          |
| LoBiondo      | Roemer        | Yates         |
| Loftgren      | Rogers        | Young (AK)    |
| Longley       | Rohrabacher   | Young (FL)    |
| Lowe          | Ros-Lehtinen  | Zeliff        |
| Lucas         | Rose          | Zimmer        |
| Luther        | Roth          |               |
| Maloney       | Roukema       |               |

NAYS—5

|         |                |           |
|---------|----------------|-----------|
| Clyburn | Hilliard       | Watt (NC) |
| Cox     | Johnson, E. B. |           |

NOT VOTING—18

|            |               |           |
|------------|---------------|-----------|
| Bunn       | Heineman      | Rangel    |
| Durbin     | Jacobs        | Schroeder |
| Funderburk | Lincoln       | Studds    |
| Gephardt   | Oxley         | Wicker    |
| Gibbons    | Payne (VA)    | Williams  |
| Hayes      | Peterson (FL) | Wilson    |

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶113.50 APPOINTMENT OF ADDITIONAL  
CONFEREES—H.R. 3539

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent and pursuant to clause 6(f) of rule X, announced the appointment of the following Members as additional conferees on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3539) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes; from the Committee on Ways and Means for the consideration of section 501 of the bill, H.R. 3539, and sections 417, 906 and 1001 of the Senate amendment and modifications committed to conference: Messrs. ARCHER, CRANE, and GIBBONS.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶113.51 PRIVILEGES OF THE HOUSE

Mr. LINDER rose to a question of the privileges of the House and submitted the following resolution (H. Res. 531):

Whereas, a complaint filed against Representative Gephardt alleges House Rules have been violated by Representative Gephardt's concealment of profits gained through a complex series of real estate tax exchanges and;

Whereas, the complaint also alleges possible violations of banking disclosure and campaign finance laws or regulations and;

Whereas, the Committee on Standards of Official Conduct has in other complex matters involving complaints hired outside counsel with expertise in tax laws and regulations and;

Whereas, the Committee on Standards of Official Conduct is responsible for determining whether Representative Gephardt's financial transactions violated standards of conduct or specific rules of the House of Representatives and;

Whereas, the complaint against Representative Gephardt has been pending before the committee for more than seven months and the integrity of the ethics process and the manner in which Members are disciplined is called into question; and

Whereas, on Friday, September 20, 1996 the ranking Democrat of the Ethics Committee, Representative James McDermott in a public statement suggested that cases pending before the committee in excess of 60 days be referred to an outside counsel; now be it

Resolved that the committee on Standards of Official Conduct is authorized and directed to hire a special counsel to assist in the investigation of the charges filed against the Democrat Leader Representative Richard Gephardt.

Resolved that all relevant materials presented to, or developed by, the committee to date on the complaint be submitted to a special counsel, for review and recommendation